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Attorney/Agent of Record: **Reza Mollaaghababa**
Registration No: **43,810**

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Express Mail Label # EL327514435US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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|------------------------|--|---|
| APPLICANT: | Peter Pothier, et al. | ATTORNEY DOCKET NO: 102689-57/00-U0083 |
| APPLICATION NO: | Pending | EXAMINER: Not Yet Assigned |
| FILED: | Herewith | GROUP NO: Not Yet Assigned |
| ENTITLED: | THROTTLING DISTRIBUTED STATISTICAL DATA RETRIEVAL IN A NETWORK DEVICE | |

Assistant Commissioner for Patents
Washington, D.C. 20231

STATEMENT CLAIMING SMALL ENTITY STATUS

Sir:

THE UNDERSIGNED STATES:

Exclusive rights in the above-identified invention reside in the "small entity(ies)" defined and named below, and "small entity" fees are appropriate. Qualification as a small entity is based upon the statement(s) below:

SMALL BUSINESS CONCERN

The below-identified small business concern qualifies as a small business as defined in 13 C.F.R. § 121.3-18, and reproduced in 37 C.F.R. § 1.9(d), for purposes of paying reduced fees under Sections 41(a) and (b) of Title 35, in that the number of employees, including those of its affiliates, which does not exceed 500 persons, and it has not assigned, granted, conveyed or licensed, and is under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 C.F.R. § 1.9(d) or a nonprofit organization under 37 C.F.R. § 1.9(e).

Concerns are affiliates of each other when, either directly or indirectly, one concern controls or has the power to control the other, or a third party controls or has the power to control both. The number of employees of the business concern is the average over the fiscal year of the persons employed during each of the pay periods of the fiscal year. Employees are those persons employed on a full-time, part-time or temporary basis during the previous fiscal year of the concern.

The undersigned acknowledge(s) the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate (37 C.F.R. § 11.28(b)).

The below-signing individual(s) hereby declare(s) that (he, she, they) are authorized to execute this statement on behalf of the small entity; that all statements made herein of (his, her, their) own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issue thereon, or any patent to which this verified statement is directed.

Sent By: Equipe Communications;
SEP-25-2000 MON 01:40 PM

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Sep-25-00 2:46PM;
FAX NO.

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Name of Small Entity:

Équipe Communications Corporation

Address of Small Entity:

One Hundred Nagog Park, Acton, MA 01720

Name of Person Signing:

Patricia Davis, Esq.

Title of Person Signing:

Corporate and IP Counsel

Signature: (Please sign and date in permanent ink.)

X



Date signed:

X

9/25/00

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